

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23813 of 2018

Arising Out of PS.Case No. -50 Year- 2017 Thana -MAHILA PS District- GAYA

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Shashi Kumar, son of Surendar Paswan, resident of Village- Vakilganj,
Tola Nagri, Police Station- Dobhi, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-06-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **POCSO Case No. 01 of 2018 arising out of Mahila P.S. Case No. 50 of 2017** instituted for the offence under Sections 366(A), 376 of the Indian Penal Code and Section 4 of the POCSO Act.

Learned counsel for the petitioner has submitted that victim girl has given her statement under Section 164 Cr. P.C. wherein she has not levelled any allegation of specific overt act against the petitioner. The statement of the victim girl recorded under Section 164 Cr. P.C. has been enclosed as Annexure-2 wherein she has stated that petitioner proposed her for marriage and she came with this petitioner, but he is not ready to perform marriage with her.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **POCSO Case No. 01 of 2018 arising out of Mahila P.S. Case No. 50 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional District and Sessions Judge-1st-cum-Special Judge (POCSO Act), Gaya**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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